

E4375
3.538
1993/8
Copy 1

COMMISSIONERS
TH DISTRICT
CHAMBER
ST DISTRICT
2ND DISTRICT



COMMISSIONERS
REV. DAVID L. TERRY, 3RD DISTRICT
RANDOLPH MARSHALL TALLEY, 5TH DISTRICT
FREDERICK A. HOEFER, II, 6TH DISTRICT
CYNTHIA GRAHAM HOWE, MEMBER AT LARGE

GARY R. BAKER
EXECUTIVE DIRECTOR

State of South Carolina

State Ethics Commission

(803) 253-4192
FAX (803) 253-7539
5000 Thurmond Mall, Suite 250
P.O. Box 11926
Columbia, S.C. 29211

JULY - AUGUST 1993

NEWSLETTER

94-001

OOPS! AN ERROR

In our April-June Newsletter we inadvertently stated that a late filing penalty of \$100 was levied against Mr. D. Wyman Cook of Newberry County Council. The newsletter should have indicated that Mr. James Dale Dominick was fined a late filing penalty of \$100.00. The complaint against Mr. Dominick was filed by Mr. Cook.

We apologize for the error and regret any inconvenience or embarrassment this may have caused Mr. Cook.

RETIRING

Alice Shorter is retiring from the State Ethics Commission with 17 1/2 years of service. We want to congratulate Alice and extend to her best wishes for her retirement as of September 1st.

Alice is to be commended for seventeen years of productive and innovative work.

Alice will have all the time she wants now to play with her grandson, Wesley; no more waiting for the weekend. We will miss Alice, but do want her to enjoy her leisure.

DEADLINES

Candidates and committees are reminded of the October 10th quarterly filing deadline for submission of Campaign Disclosure Forms. The quarterly report is required of any candidate or committee whose campaign account is still open and which has not filed a final report.

Forms may be obtained from the Commission office or may be obtained from the Clerk of Court's Office in each county.

Failure to file the form within five days after the filing deadline may result in a fine of \$100, plus \$10 per each additional day, to a maximum of \$500.

Lobbyists and Lobbyists' Principals are reminded of the October 1st reporting deadline for Lobbyists and Lobbyists' Principals.

Forms may be obtained from the Commission Office.

Failure to file the form within ten days after the established deadline may result in a fine of \$100, plus ten dollars for each additional day that a form is late, not to exceed five hundred dollars (\$500).

S. C. STATE LIBRARY
OCT 15 1993
STATE DOCUMENTS

ADVISORY OPINIONS

SEC AO94-001

July 21, 1993

COMMITTEE ESTABLISHED TO RAISE MONEY WITH WHICH TO PURCHASE EQUIPMENT FOR RICHLAND COUNTY SHERIFF'S DEPARTMENT

The Ethics Reform Act does not prohibit local businesses from establishing a committee to solicit contributions from the private sector with which to purchase bulletproof vests and other equipment for the Richland County Sheriff's Department.

SEC AO94-002

July 21, 1993

EMPLOYER OF COUNTY SCHOOL BOARD CHAIRMAN DOING BUSINESS WITH THE COUNTY

Provided he complies with the recusal provisions of Section 8-13-700(B) on those matters affecting his employer's economic interests, a bank employee may continue to serve as School Board Chairman even though the county does business with the Chairman's employer. Pursuant to Section 8-13-775, the Chairman may not have an economic interest in a contract between the County and the bank with which he is employed if he is authorized to perform an official function relating to the contract.

SEC AO94-003

July 21, 1993

OFF DUTY EMPLOYMENT OF PUBLIC EMPLOYEE

A former DHEC employee who is currently employed by the Budget and Control Board would not be prohibited from providing certain part time consulting and engineering services as long as such work is not part of the employee's official responsibilities and is performed in accordance with the off duty employment guidelines. With limited exceptions, however, Section 8-13-740(A)(6) would preclude the employee and any business with which he is associated from representing clients before other state agencies.

SEC AO94-005

August 18, 1993

APPLICABILITY OF ETHICS REFORM ACT TO NONPROFIT TRADE ASSOCIATION

Based on the facts presented, a nonprofit trade association's ad hoc espousal of a position on legislation or other official State action does not constitute lobbying, and neither the association nor its board members or officers are lobbyists or lobbyist's principals within the meaning of the Ethics Reform Act.

State Ethics Commission

P.O. BOX 11926

COLUMBIA, S.C. 29211

BULK RATE
U.S. Postage
PAID
Columbia, S.C. 29201
PERMIT NO. 143